



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,781	06/15/2001	Carla H. Kuhner	HER-0050	9997

7590 02/25/2003

Patrick J. Farley, Ph.D.
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103

EXAMINER

NAVARRO, ALBERT MARK

ART UNIT	PAPER NUMBER
----------	--------------

1645

15

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	15

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The reply filed on December 2, 2002 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicant's have elected a peptide having formula I wherein $n = 2$, R_1 = a C_1 to C_{20} alkyl (including cycloalkyl) group, and X_2 is Arg-Trp for prosecution, (page 4 of response). However, Applicant's have selected embodiments from the 4 page claim that do not match. For instance when $n = 1$, R_1 may be C_1 - C_{20} alkyl (page 79). However, Applicant's have elected $n = 2$, and on the second page of the claim when $n = 2$, despite having 32 possible R_1 combinations with multiple optional substitutions, a C_1 - C_{20} alkyl is not recited. Applicant is again required to elect a single structure for examination, along with a statement as to which claims are encompassed by the elected structure.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or

correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY
BE GRANTED UNDER 37 CFR 1.136(a).



Mark Navarro

Primary Examiner

February 23, 2003